

REMARKS

The Office Action indicated that the subject matter of Claims 7 and 10 would be allowed if rewritten in independent form.

Accordingly, Claim 1 has been amended to incorporate the dependent Claim 2 and the allowed subject matter from Claim 7.

It is believed that Claim 1 and its dependent Claims 3-6 and 10-12 are allowable.

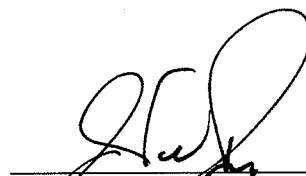
Independent Claim 8 which is a method claim, has now been amended to include the same distinguishing features and functions now defined in apparatus Claim 1. Thus, the judging steps that had been indicated allowable in an apparatus format are now repeated in both Claim 8 and also in Claim 9, where a computer can execute these functions in tracking the control of an optical disk when encoded and embodied in a computer readable medium.

In view of these proposed further amendments to independent Claims 8 and 9, it is believed that they represent allowable subject matter, and that the case is now in condition of allowance and early notification of the same is requested.

If there are any questions with regards to this Amendment, the undersigned attorney can be contacted at the listed phone number.

Very truly yours,

SNELL & WILMER L.L.P.

A handwritten signature in black ink, appearing to read 'JP', is written over a horizontal line.

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